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SUBJECT: TURKEY: KURDISH ACTIVIST LEYLA ZANA TO APPEAL 10-YEAR
SENTENCE

11. (U) SUMMARY. A Diyarbakir court sentenced Kurdish activist Leyla Zana to ten years in prison for being a member of the terrorist PKK and disseminating propaganda for the organization. The court also banned her from participating in politics and voting. Zana's lawyer has announced plans to appeal, at least a year-long process. A local lawyer points out Zana has not been arrested, and will likely not face "preventive detention" during the appeals process. The pro-Kurdish DTP may select Zana as a mayoral candidate in the southeast. This verdict could enhance her appeal among Kurdish voters who empathize with her victimization. The southeast has been quiet in the immediate aftermath of the ruling, with no evidence of planned protests. END SUMMARY.

All Quiet on the Eastern Front

12. (SBU) On December 4, Diyarbakir's 5th High Criminal Court sentenced former politician Leyla Zana to 10 years in prison on charges of violating the Turkish Penal Code and the Anti-Terror Law. Zana was found guilty of being a member of a terrorist organization - the Kurdistan Workers Party (PKK) -- and disseminating terrorist propaganda in nine separate speeches delivered over the past year. Among Zana's quotes cited in the indictment are "I don't consider PKK to be a terrorist organization;" "Ocalan is the leader of the Kurdish people;" and, "the PKK's fight is a struggle freedom and democracy." The court referenced public addresses she delivered in multiple cities in the southeast and before the European Parliament (in Kurdish) to protest military cross-border operations and rally political support. Zana's lawyer, who was not present during the sentencing, has vowed to appeal, a process that could take a year or longer. Principal Officer reported from Diyarbakir that local business, NGO and political leaders have not raised the Zana topic during his meetings, and currently all is quiet. A local lawyer points out that Zana has not been arrested, and will likely not face "preventive detention" during the appeals process.

Guilty Verdict May Ignite Turkey-EU Tension

13. (U) Zana, Turkey's first female Kurdish parliamentarian, is not unfamiliar with the Turkish penal system, having served a previous ten-year sentence from 1994-2004 under similar charges of being a PKK member. The case was highly controversial in European countries. The European Union challenged the

conviction and later awarded her the Sakharov Prize for Freedom of Thought. In 2001, the European Court of Human Rights ruled against Turkey after a review of her trial, a verdict rejected by Turkey. This fresh conviction may stir up more friction between Turkey and the EU, despite a recent report by the Assembly of Western European Union countries recognizing Turkey's right to defend and protect itself in the face of the PKK threat.

COMMENT

14. (SBU) A well-known Diyarbakir attorney, Sezgin Tanrikoglu, told us the ban on voting and political participation will be suspended until the appeals process is concluded. This is politically significant, as pro-Kurdish Democratic Society Party (DTP) -- the successor to previous Kurdish parties banned by the Turkish judiciary -- may reassess its election strategy and consider Zana's candidacy for key mayoral races in the southeast. This verdict could make her a more attractive candidate for Kurdish voters who empathize with her victimization. On the other end of the spectrum, Zana has long been a lightning rod for Turkish nationalists who believe she has flouted the law and openly supported Kurdish separatism, with deadly consequences. They will view the verdict as long overdue. END COMMENT.

GREEN